

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1-50 were pending in this application. Claims 4 and 44-49 have been canceled, claim 1 has been amended to include the subject matter of claim 4, and claims 5, 7, and 22 have been amended hereby to correct matters of form. Accordingly, claims 1-3, 5-43 and 50 will be pending herein upon entry of this Amendment.

In the Office Action, claims 1, 3-6, 8-12, 15, 23, 24, 28, 30-43 and 50 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 3,119,801 to Haskell ("Haskell"); and claims 1-50 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,198,471 to Nauman et al. ("Nauman") in combination with Haskell. To the extent these rejections might still be applied to claims presently pending in this application, they are respectfully traversed.

Regarding the § 102(b) rejection of the claims over Haskell, claim 1 recites in the preamble a "starting material comprising a mixture of polyolefin plastic materials" (emphasis added). In contrast, Haskell relates to the recovery of olefin polymers from solution. (See col. 1, lines 10-14.) For example, Haskell discloses various examples (Examples I-III at col. 6, line 3 to col. 7, line 48) involving ethylene polymer, a monoolefin polymer. Haskell also discloses in Example IV, col. 7, line 59 to col. 8, line 3 an example involving ethylene-propylene, a monoolefin comonomers. Haskell simply does not relate to polyolefin materials.

Haskell further does not relate to processing several polymer types, as required by the claims of the present invention. Rather, each of the examples described above in reference to Haskell relate to a single polymer type, such as ethylene or ethylene-propylene. In contrast, the present invention may involve several polymers, such as polyethylene, polypropylene, high density polyethylene, and low density polyethylene. For example, claim 1 of the present application recites, in part, "at least two liquid phases are formed, each of which contains at least one polymer type in a concentration higher than in other liquid phases." In order to satisfy this limitation, at least two polymers are required.

The specification for the present application further describes this feature of the present invention. For example, paragraph [0024] of the present application states that although shearing and precipitation of polymers from solution to produce fiber structures is known in the prior art, the method has never been used for the separation of several polymer types from a plastic material mixture. The application describes that the invention has shown surprising results. Particularly, the separation of polymers using shearing and precipitation yields a fiber structure having a very low residual moisture and high level of purity that is superior to the products generated using conventional methods.

Because Haskell does not teach each and every element recited in claim 1, the § 102(b) rejection of the claims should be withdrawn and the claim allowed. Claims 3-6, 8-12, 15, 23, 24, 28, 30-43 are allowable as well, particularly in view of their dependence from claim 1. Claim 50 is allowable as well, for the same reasons described above in reference to claim 1.

Regarding the § 103(a) rejection of claims 1-50 over a combination of Haskell and Nauman, Haskell fails to teach each and every limitation recited in the claims, as described above. Nauman fails to cure the deficiencies of Haskell. Particularly, Nauman, which is described in the background section of the present application, does not describe the feature of selectively precipitating at least one polymer from a solution of mixed polymers by the introduction of shearing forces. Instead, Nauman discloses using shearing forces to precipitate a polymer from a solution which does not contain any other different polymer.

Because a combination of Haskell and Nauman does not disclose each and every limitation recited in independent claims 1 and 50, the § 103 rejection should be withdrawn and the claims allowed. The § 103 rejection of claims 2, 3, 5-43 and 50 should be withdrawn as well, particularly in view of their dependence from claim 1.

Although Applicant has pointed out exemplary embodiments in the present application which provide support for the arguments presented herein, these embodiments are not intended to be exhaustive nor to limit the invention to the precise forms disclosed. Instead, the scope of the invention should be defined only by the claims themselves and their equivalents.

In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is

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desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

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